

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
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Concord, MA 01742-9133

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FACSIMILE FILING OF PTO DOCUMENT**Examiner:** Customer Service Center **Group:** 3661**Date:** November 12, 2004**Client Code:** 3195**Facsimile No.:** Response to Notice to File Missing Parts - 703-746-4060**From:** Caroline M. Fleming**Subject:** Paper: Reply to Notice of Incomplete Reply (Nonprovisional)**Docket No.:** 3195.1003-001**Applicants:** Michael J. Ingram et al.**Serial No.:** 10/824,769**Filing Date:** April 14, 2004Number of pages including this cover sheet: 25Please confirm receipt of facsimile: Yes ☐ No ☐**Comments:**

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NOV-12-2004 FRI 11:36 AM

FAX NO.

P. 02

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December 22, 2003

PATENT APPLICATION
Docket No.: 3195.1003-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michael J. Ingram, Simon Matthews and James J. Squadrito
Application No.: 10/824,769 Group: 3661
Filed: April 14, 2004 Examiner: Not Yet Assigned
Confirmation No.: 6716
For: COMPUTER METHOD AND APPARATUS FOR AIRCRAFT
MIXTURE LEANING



CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>11/12/04</u>	<u>Pamela Sarno</u>
Date	Signature
<u>PAMELA SARNO</u>	
Typed or printed name of person signing certificate	

REPLY TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants are in receipt of a Notice of Incomplete Reply mailed from the U.S. Patent and Trademark Office on November 5, 2004 (copy enclosed). The Notice states that the Reply to Notice to File Missing Parts filed on October 21, 2004, failed to include an oath or declaration.

Applicants believe that the Notice of Incomplete Reply was issued in error. The Reply to Notice to File Missing Parts filed on October 21, 2004, was accompanied by a declaration in compliance with 37 C.F.R. §1.63 executed by all three inventors, along with the application filing fee, surcharge, petition for extension of time, statement claiming small entity status, Power of Attorney and Statement under 3.73(b), Replacement Drawings and check for \$719. A copy of the Reply and associated documents are submitted herewith. Also enclosed is a copy of the date-stamped postcard receipt acknowledging receipt by the U.S. Patent and Trademark Office of the referenced documents, including the Executed Declaration for Patent Application (2 pages) on October 25, 2004.

10/824,769

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Thus, Applicants believe that the Notice of Incomplete Reply was issued in error and further believe that no further fees are due in this matter. However, authorization is granted to charge any fee deficiency or credit any overpayment in this matter to Deposit Account No. 08-0380 if it is deemed necessary.

In particular, as a cautionary step, a third month extension of time from October 28, 2004 to November 28, 2004 is hereby requested and authorization to charge the corresponding fee to Deposit Account No. 08-0380 is hereby given. The prior filing (Reply of October 25, 2004) included a two month extension of time from August 28, 2004 to October 28, 2004. It is noted that this third month extension of time would not be required but for the Notice of Incomplete Reply being issued in error.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Caroline M. Fleming
Caroline M. Fleming
Registration No.: 45,566
Tel.: (978) 341-0036
Fax: (978) 341-0136

Concord, Massachusetts 01742-9133

Date: 11/12/04



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/824,769	04/14/2004	Michael J. Ingram	3195.1003-001

CONFIRMATION NO. 6716

FORMALITIES LETTER



OC000000014303541

021005

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
 530 VIRGINIA ROAD
 P.O. BOX 9133
 CONCORD, MA 01742-9133

Date Mailed: 11/05/2004

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 10/25/2004 to the Notice to File Missing Parts (Notice) mailed 06/28/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

FIN
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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MLW/CMF/ps
10/20/04

PATENT APPLICATION
Docket No.: 3195.1003-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael J. Ingram, Simon Matthews and James J. Squadrito
Application No.: 10/824,769 Group: 3661
Filed: April 14, 2004 Examiner:
Confirmation No.: 6716
For: COMPUTER METHOD AND APPARATUS FOR AIRCRAFT
MIXTURE LEANING

COPY



CERTIFICATE OF MAILING OR TRANSMISSION	
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10/21/04	Pamela Sarno
Date	Signature
PAMELA SARNO	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION.

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Notice to File Missing Parts dated June 28, 2004, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

☒ **EXECUTED DECLARATION FOR PATENT APPLICATION**
(Separate transmittal letter and postcard not required)

☒ **POWER OF ATTORNEY DOCUMENT**
☐ Granted by Inventor(s)

☒ Granted by Assignee, including Statement under 37 C.F.R. 3.73(b)
(Separate transmittal letter and postcard not required)

☐ **PRELIMINARY AMENDMENT**
(Separate transmittal letter and postcard not required)

☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate
Fee calculations based on:

☒ Claims as originally filed

☐ The Notice to File Missing Parts states an erroneous number of claims.

☐ Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]
(Separate transmittal letter and postcard not required)

☒ **SURCHARGE** - surcharge fee of \$[65]
(Separate transmittal letter and postcard not required)

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10/824,769

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☐ **SEQUENCE LISTING** - Filed concurrently and is attached

(Separate transmittal letter and postcard required)

☒ **REPLACEMENT DRAWINGS** - ☐ 7 sheets of replacement drawings consisting of

Figs. 1 - 7 are enclosed *(Separate transmittal letter and postcard not required)*

☐ A Petition to Accept Color Drawings/Photographs (Fig(s). ☐) and a Transmittal of Replacement Drawings, with attachments, are enclosed.

(Separate check for fees and postcard required)

☒ **PETITION FOR EXTENSION OF TIME**

☒ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated June 28, 2004 for two months from August 28, 2004 to October 28, 2004. The appropriate fee of \$215 is included in the enclosed check

☐ A ☐ month extension of time to respond to the Notice to File Missing Parts dated ☐ was filed on ☐ with payment of a \$☐ fee

☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$☐ is included in the enclosed check

(Separate Petition for Extension of Time and postcard not required)

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached

(Separate transmittal letter and postcard required)

☒ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on ☐

☒ Is enclosed herewith

(Separate transmittal letter and postcard not required)

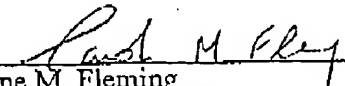
☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$☐ which were paid on ☐ to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$719. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By


Caroline M. Fleming
Registration No.: 45,566
Tel.: (978) 341-0036
Fax: (978) 341-0136

Concord, Massachusetts 01742-9133

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/824,769	04/14/2004	Michael J. Ingram	3195.1003-001

CONFIRMATION NO. 6716

021005
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133

FORMALITIES LETTER

100000000013083779
"OC000000013083779"

Date Mailed: 06/28/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$86 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$986 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

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- Total additional claim fee(s) for this application is \$86

- \$86 for 1 independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts
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A copy of this notice MUST be returned with the reply.

2004.11.12

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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Initials: MLW/CME/ps Docket No.: 3195.1093-001 Date: October 21, 2004
 This is to acknowledge receipt of the following documents each filed under Certificate of Mailing
 Procedure 37 C.F.R. 1.8:

☒ Reply to Notice to File Missing Parts w/copy (Formalities Letter Attached)
☒ including Pet Ext Time w/fee
☒ EXECUTED DECL. FOR PATENT APPLICATION - Total pages { 2 }
☒ EXEC. POA by ☒ Assignee - # of Docs. { 1 } ☒ Applicant/Inv. - # of Docs. { 1 }
☒ Statement under 3.73(b) - # of Docs. { 1 } ☒ Cy. of Assignment - # of Docs. { 1 }
☒ FILING FEE w/fee Transmittal w/copy ☒ SURCHARGE included
☒ Stmt of Small Entity Status ☒ SEQ LIST (separate p.c. & transmittal)
☒ PRELIMINARY AMENDMENT ☒ Req. Corr. Filing Rec'pt (sep. p.c. & trans.)
☒ REPLACEMENT DRAWINGS { 7 } sheets Figs. 1 - { 7 }
☒ CHANGE OF CORRESPONDENCE ADDRESS, separate paper
☒ Check for \$ 719 ☒ Authorization to Charge all Fees
☒ Other Information Disclose Statement w/149 { 2 } pgs.) and references

Applicant: Michael J. Ingram et al. ☒ Filed: April 14, 2004
 Application No.: 10824,769
 Title: COMPUTER METHOD AND APPARATUS FOR AIRCRAFT MIXTURE....
 Date received by the PTO:
 @PatDesk: 06/05/2004 10:05:05 AM JBSR05, Manager

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